

COMMISSION HEARING EXAMINER DIRECTIVE

ADMINISTRATIVE MATTERS ☐

DATE March 17, 2006

MOTOR CARRIER MATTERS ☐

DOCKET NO. 2006-70-C

UTILITIES MATTERS ☒

ORDER NO. n/a-

HEARING EXAMINER: David Butler

DOCKET DESCRIPTION:

Application of LMDS Holdings, Inc. for Authority to Provide Competitive Local Exchange and Interexchange Telecommunications Services in the State of South Carolina, Alternative Regulation, and for Flexible Regulation.

MATTER UNDER CONSIDERATION:

Motion for Protective Treatment and Basis for Filing Exhibit E to Application as Trade Secret

HEARING EXAMINER ACTION:

The Motion is denied. LMDS Holdings, Inc. does not state any reasonable grounds for filing its financial exhibits in Exhibit E to the Application as a trade secret. No basis has been stated to contravene 26 S.C. Code Ann. Regs 103-804 (Y) (1) (b) (Supp. 2005), which states that public records include financial reports to the Commission. LMDS Holdings, Inc. shall have 14 days from the date of this directive (until March 31, 2006) to take one of three steps: (1) agree that the contents of Exhibit E to the Application are public documents, along with the rest of the Application; (2) provide more compelling reasons for a declaration of the financial information as a trade secret; or (3) withdraw the Application. If the hearing examiner has not been notified of the preference of the Company with regard to these matters by the close of Commission business on March 31, 2006, the hearing examiner will declare Exhibit E to be public information and release it as a public document.